

United States Court of Appeals For the First Circuit

No. 05-2387

RANDY DUQUETTE,

Plaintiff - Appellant,

v.

LES DOLECAL, Acting Commissioner, New Hampshire Department of Corrections;
JANE COPLAN, Warden, New Hampshire State Prison,

Defendants - Appellees.

ORDER OF COURT

Entered: October 3, 2005

This court has docketed plaintiff's appeal from the judgment entered on August 29, 2005 in CA No. 04-00281 (D. N.H.) as Appeal No. 05-2387. Following the entry of judgment, a motion for reconsideration was mailed from prison on September 9, 2005 and was received and filed in the district court on September 14, 2005. Pursuant to Fed. R. App. P. 4(a)(4)(A), the notice of appeal from the August 29, 2005 judgment does not become effective until the district court disposes of the post-judgment motion.

Therefore, plaintiff-appellant is directed to file a status report by **November 2, 2005** and at thirty day intervals thereafter, informing this court of any action taken by the district court on the post-judgment motion. Further, the appellant is directed to inform this court whether or not he intends to file a notice of appeal or amended notice of appeal from the district court's post-judgment order. See Fed. R. App. P. 4(a)(4)(B).

Failure to comply with this order may lead to dismissal of this appeal for lack of diligent prosecution. Local Rule 3(b).

Once the district court rules on the motion for reconsideration, it is directed to forward its decision to this court forthwith.

CERTIFIED COPY
I HEREBY CERTIFY THIS DOCUMENT
IS A TRUE AND CORRECT COPY OF
THE ORIGINAL ON FILE IN MY OFFICE
AND IN MY LEGAL CUSTODY.

FIRST CIRCUIT COURT OF APPEALS
BOSTON, MA

By: DE Date: 10/3/05

By the Court:

Richard Cushing Donovan, Clerk
MARGARET CARTER

By: _____
Chief Deputy Clerk

[Certified Copies: Honorable Steven J. McAuliffe, James R. Starr, Clerk, US District
Court of New Hampshire]

[cc:Randy J. Duquette, Mary Maloney, AAG]